

1470 South Valley Vista Drive, Suite 230
Diamond Bar, California 91765

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Telephone (909) 861-0816

Fax (909) 860-3995

October 24, 2012



Re: Our Principal: City of Hermosa Beach
Claimant: Nathan Chinchilla
Date of Loss: 03/03/2012
Claim Submitted: 09/20/2012
Our Claim Number: 12-114587

Dear Mr. Chinchilla:

AdminSure is the claims administrator for the City of Hermosa Beach. As such, your claim was referred to our office for handling.

Notice is hereby given that the claim, which you presented to the City of Hermosa Beach on 09/20/2012 in connection with a 03/03/2012 incident, has been rejected as of the date of this notice.

WARNING

SUBJECT TO CERTAIN EXCEPTIONS, YOU HAVE ONLY (6) MONTHS FROM THE DATE THIS NOTICE WAS PERSONALLY DELIVERED OR DEPOSITED IN THE MAIL TO FILE A COURT ACTION ON THIS CLAIM. SEE GOVERNMENT CODE SECTION 945.6.

YOU MAY SEEK THE ADVICE OF AN ATTORNEY OF YOUR CHOICE IN CONNECTION WITH THIS MATTER. IF YOU DESIRE TO CONSULT AN ATTORNEY, YOU SHOULD DO SO IMMEDIATELY.

PLEASE ALSO BE ADVISED THAT PURSUANT TO CALIFORNIA CODE OF CIVIL PROCEDURE 128.5 AND 1038, THE CITY WILL SEEK TO RECOVER ANY COSTS OF DEFENSE IN THE EVENT THAT AN ACTION IS FILED IN THIS MATTER WHICH IS DETERMINED NOT TO HAVE BEEN BROUGHT IN GOOD FAITH WITH REASONABLE CAUSE.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Datto".

Nathan Chinchilla
October 24, 2012
Susan Diotte,
Page 2
Liability Administrator
(909) 396-5827

cc: City of Hermosa Beach
ATTN: Monica Bagnara, Personnel Assistant

1470 South Valley Vista Drive, Suite 230
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Telephone (909) 861-0816
GOVERNMENTAL ENTITY PRELIMINARY REPORT

AdminSure

Hermosa Beach

1315 Valley Drive

Hermosa Beach, CA. 90254

ATTN: Monica Bagnara, Personnel Assistant

DATE: 10/24/2012

CLAIMANT: Nathan Chinchilla

FILE NO: 12-114587

D/EVENT: 03/03/2012 **FILING DATE:** 09/20/2012 **SIX MOS.:** No

PRINCIPAL/CITY: City of Hermosa Beach.

RECOMMENDED ACTION ON CLAIM: The City of Hermosa Beach authorized Rejection of this claim on 10/09/2012.

POSSIBLE CO-DEFENDANTS: We have requested a copy of the Hermosa Beach Police Report regarding this 03/03/2012 altercation that occurred at the corner of Hermosa Ave. and Pier Ave., Hermosa Beach. According to the claimant, a big fight broke out and someone punched the claimant, causing him to lose 3 teeth and sustain loss of feeling in the upper part of his mouth. The PD report may identify possible defendants/co-defendants.

EVALUATION: Based on the information provided by the claimant, we view this claim as one of zero liability on the part of the City. The claimant alleges that the Hermosa Beach PD did not move in quickly enough to stop the altercation.

<u>RESERVES</u>	<u>TYPE OF CLAIM</u>	<u>AMOUNT</u>
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1. Chinchilla, Nathan	OBI	\$1.00
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WORK TO BE COMPLETED:

1. We have requested a copy of the Hermosa Beach Police Report and, if not received by the next diary date, we will follow up with the City.
2. The rejection notice was mailed to the claimant today by Certified Mail – return receipt; we will monitor the file to determine if there is any additional pursuit of this claim following the rejection of the claim.
3. Prepare follow up report after receipt and review of the police report regarding this altercation.
4. If needed, make additional recommendations to the City.
5. Continue to monitor file until the statute of limitations expires on 04/24/2013.

COMMENT:

We will continue to keep you advised of any developments.

In the meantime, if you have any questions or require any additional information, please contact me at your convenience.

Very truly yours,

AdminSure, Inc.

Susan Diotte
(909) 396-5827
sdiotte@adminsire.com

cc: City of Hermosa Beach
ATTN: Monica Bagnara, Personnel Assistant
Personnel & Risk Management Department